

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1608 be amended to read as follows:

- 1 Page 3, line 3, delete "collective bargaining" and insert "**collectively**
- 2 **bargained**".
- 3 Page 3, line 4, delete "agreement establishes an".
- 4 Page 3, line 4, delete "that" and insert "**satisfies the requirements**
- 5 **listed in section 10 of this chapter.**".
- 6 Page 3, delete lines 5 through 22.
- 7 Page 3, line 32, delete "program" and insert "**policy**".
- 8 Page 3, delete lines 34 through 39, begin a new line block indented
- 9 and insert:
- 10 "**(1) The contractor's employees must be randomly selected**
- 11 **for unannounced testing. All employees must be included in**
- 12 **the pool from which names randomly are selected for**
- 13 **unannounced drug tests. A contractor must either:**
- 14 **(A) test not less than two percent (2%) of the contractor's**
- 15 **employees each month; or**
- 16 **(B) participate in a collectively bargained multi-employer**
- 17 **substance abuse testing program in which the number of**
- 18 **random drug tests administered each year totals not less**
- 19 **than twenty-five percent (25%) of the reported employees**
- 20 **in the multi-employer pool.**".
- 21 Page 3, line 40, delete "(3)" and insert "(2)".
- 22 Page 4, delete lines 5 through 32, begin a new line block indented
- 23 and insert:
- 24 "**(3) The program imposes disciplinary measures on an**

1 employee who fails a drug test. The disciplinary measures  
2 must include, at a minimum, all of the following:

3 (A) The employee is subject to suspension or immediate  
4 termination from employment.

5 (B) The employee is not eligible for reinstatement to  
6 employment until the employee tests negative on a five (5)  
7 drug panel test certified by a medical review officer.

8 (C) The employee is subject to unscheduled sporadic  
9 testing for not less than one (1) year after reinstatement to  
10 employment.

11 (D) The employee successfully completes a rehabilitation  
12 program recommended by a substance abuse professional  
13 if the employee fails more than one (1) drug test.

14 (4) After June 30, 2009, a contractor's drug testing policy  
15 must contain the additional requirement that a construction  
16 employee:

17 (A) must have successfully passed an initial or  
18 pre-employment drug test; and

19 (B) possess an identification card from the drug testing  
20 program that indicates that the employee is available for  
21 work;

22 before being eligible to work for the contractor. For a  
23 contractor participating in a collectively bargained substance  
24 abuse testing program, this requirement is satisfied if the  
25 pre-employment drug test is conducted as a part of that  
26 program."

(Reference is to HB 1608 as printed February 9, 2007.)

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Representative Van Haaften